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JULY 15, 2020

THE ABCS OF OPERATIONALIZING THE CCPA, BIPA, AND OTHER STATE DATA PRIVACY LAWS

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DISCUSSION POINTS

- The Evolving U.S. Landscape
  - CCPA
  - BIPA
  - "Similar" State Laws and Proposed Legislation
- Operationalizing Data Privacy Law Compliance
  - Follow Framework
  - Prepare for Enforcement

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CCPA Basics

(Understanding the Lay of the Land)

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WHAT INDIVIDUAL RIGHTS DOES THE CCPA CREATE?

Creates five new individual rights for Californians:

- the ***right to know*** what personal information is being collected, disclosed, and sold, and to whom;
- the ***right to access*** their personal information;
- the ***right to opt out*** of the sale of personal information;
- the ***right to delete*** their personal information; and
- the ***right to nondiscrimination***, to equal service and price, even if they exercise their privacy rights.

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WHO DOES THE CCPA SEEK TO PROTECT?

- **Consumers**: Broadly defined as any natural person who is a California resident.

- **California Resident:** Any individual who is:
  - "in the state of California for other than a temporary or transitory purpose;" or
  - "domiciled in the state" of California, but "outside of the state for a temporary or transitory purpose."

WHAT OBLIGATIONS DOES THE CCPA IMPOSE?

Imposes three general obligations upon businesses:

- The ***obligation to inform*** consumers of their rights;
- The ***obligation to respond*** to consumer requests; and
- The ***obligation of nondiscrimination***, subject to exceptions.

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Title search: The ABCs of Operationalizing the CCPA, BIPA, and Other State Data Privacy Laws

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Answer Bar: Global Data Security Considerations for the Corporate Client

First appeared as part of the conference materials for the
2020 Essential Cybersecurity Law session
"The ABCs of Operationalizing the CCPA, BIPA, and Other State Data Privacy Laws"